

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ERIC HOLTON,

Plaintiff,

v.

CAPTAIN JAEGER, AMY MORALES,
A. MORRIS and LIZZY TEAGLE,

Defendants.

ORDER

07-cv-241-jcs

For the third time this month, plaintiff has filed a motion for relief from the judgment entered in this case on May 15, 2007. I denied plaintiff's previous motions because he had not shown that he is entitled to relief from judgment under Fed. R. Civ. P. 60.

In his current motion, plaintiff appears to assert that he is entitled to relief under Fed. R. Civ. P. 60(b)(3) because the court misrepresented the facts of this case. However, Rule 60(b)(3) deals with judgments that are erroneous because of fraud, misrepresentation, or other misconduct by an *opposing party*. Plaintiff has not alleged that defendants made any misrepresentations during the case that necessitate reopening the case. Therefore, plaintiff's third motion for relief from judgment will be denied.

ORDER

IT IS ORDERED that plaintiff's motion for relief from judgment, dkt. #19, is DENIED.

Entered this 30th day of March, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge